

SEYFARTH SHAW LLP
John Yslas (SBN 187324)
E-mail: jyslas@seyfarth.com
601 South Figueroa Street, Suite 3300
Los Angeles, California 90017-5793
Telephone: (213) 270-9600
Facsimile: (213) 270-9601

Attorney for Defendants
ExamWorks, LLC; ExamWorks Review Services,
LLC; and IME Resources, LLC

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JONI STEVENS, an individual,

Plaintiff,

v.

EXAMWORKS, LLC, a Delaware limited
liability company;
EXAMWORKS REVIEW SERVICES,
LLC, a Delaware limited liability company;
IME RESOURCES, LLC, a Delaware
limited liability company; and
Does 1-10,

Defendants.

Case No.

(Shasta County Superior Court Case No.
197549)

**DECLARATION OF KATHRIN
CRIVEAU IN SUPPORT OF
DEFENDANTS' NOTICE OF
REMOVAL**

Complaint Filed:
Trial Date:

June 14, 2021
May 17, 2022

DECLARATION OF KATHRIN CRIVEAU

I, Kathrin Criveau, declare and state as follows:

1. I make this declaration in support of Defendants' Notice of Removal filed in the above-reference action. I have personal knowledge of the matters set forth below, and, if called upon to testify, I could and would do so competently.

2. I am currently employed as HR Business Partner for ExamWorks, LLC. In my role, I have become intimately familiar with Defendants ExamWorks, LLC ("ExamWorks") and ExamWorks Review Services, LLC and IME Resources, LLC's ("IME") (collectively, "Defendants") individual corporate structure, operations and place of incorporation, and I am familiar with the corporate structure and operations of their parents, members, affiliates, subsidiaries and predecessors. In my position, I also have access to Defendants' employees' personnel files and pay records, including the personnel file and pay records of Plaintiff Joni Stevens ("Plaintiff").

3. Based on my review of the personnel records relating to Plaintiff, ExamWorks was Plaintiff's former employer. IME was the entity that handled payroll for ExamWorks employees like Plaintiff. Plaintiff was employed by ExamWorks within the State of California from approximately May 16, 2011 through February 19, 2021. The location where Plaintiff worked is in Redding, California.

4. There are no documents in Plaintiff's personnel file to suggest in any way that she is currently, or during the period of her employment was, a resident or citizen of any state other than California. Plaintiff's home address that she communicated to ExamWorks during the period she was working at ExamWorks is within the State of California.

5. Based on Plaintiff's personnel and pay records, at the time of her separation from ExamWorks, Plaintiff earned an annual salary of \$72,367.36. Plaintiff also was commission eligible.

6. ExamWorks, LLC is a limited liability company that at all relevant times during this litigation was organized and existing under the laws of the State of Delaware.

ExamWorks, LLC's sole member is ExamWorks Group, Inc., a corporation organized under the laws of the State of Delaware.

7. IME is a limited liability company that at all relevant times during this litigation was organized and existing under the laws of the State of Delaware. IME's sole member is ExamWorks, LLC.

8. As a result of my position, I have personal knowledge of the legal entity status of ExamWorks Group, Inc. In my position, I also have access to information and data related to ExamWorks Group, Inc.'s business operations. ExamWorks Group, Inc. is a corporation that at all relevant times during this litigation was organized and existing under the laws of the State of Delaware. ExamWorks Group, Inc. is a holding company, which has no employees and conducts no operations.

9. ExamWorks Group, Inc. does not hold board meetings, nor does it maintain office space. When necessary, decisions are made by unanimous written consent of the two board directors, both of whom reside in Florida. Thus, ExamWorks Group, Inc.'s overall executive and administrative functions are not found in the State of California.

10. ExamWorks Review Services, LLC is a limited liability company that at all relevant times during this litigation was organized and existing under the laws of the State of Delaware. ExamWorks Review Services, LLC's sole member is ExamWorks, LLC.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct.

Executed on this 15th day of July, 2021, at Garden City, New York.

A handwritten signature in blue ink, appearing to read 'Kathrin Criveau', is written over a horizontal line.

KATHRIN CRIVEAU